

Remarks/Arguments

In the Final Office Action mailed on 24 October 2007, the Examiner rejected claims 1-2, 4-7, 9-12 and 14-15 under 35 U.S.C. §103(a) as unpatentable over Hower Jr. et al. (U.S. Patent No. 5,467,434) in view of Mori et al. (U.S. Patent No. 6,433,882), rejected claims 3, 8 and 13 under 35 U.S.C. §103(a) as unpatentable over Hower in view of Mori in further view of Tominaga (U.S. Patent Publication No. 2002/0015180), and rejected claims 16-20 under 35 U.S.C. §103(a) as unpatentable over Hower in view of Mori and further in view of Schwarz (U.S. Patent No. 6,476,927). In the Advisory Action mailed 22 January 2008, the Examiner maintained the same rejections and dismissed the Applicants prior remarks as non-persuasive.

Applicants respectfully traverse the rejections and request reconsideration and withdrawal thereof. Applicants have amended independent claims 1, 6, and 11 for editorial clarity.

35 U.S.C. §103(a) Rejections of All Claims

The Examiner rejected all claims (1-20) under §103 as unpatentable over Hower in view of Mori, or over Hower and Mori in view of other references. In particular, independent claims 1, 6, and 11 were rejected over Hower in view of Mori. The Examiner presents his rejection principally with respect to claim 6 but his rejection of independent claims 1 and 11 applied the same reasoning.

Teachings of Mori

The Examiner's rejection of independent claims 1, 6, and 11 is, in essence, identical to the §103 rejections stated in the prior office action. In the Examiner's "Response to Arguments" relating to the Applicants' prior response, the Examiner seeks to clarify that the prior Examiner (in the prior Office Action) was relying on Mori only for the teaching that device independent options may be specified (and presumably converted to device specific commands though the Examiner does not state so). Applicants readily acknowledge it is known in the art that a device instruction may be specified in a device independent form and converted to a device specific form. Such is precisely the function of a printer device driver as has probably been known for as long as computers have been coupled to printers. Or, in a more current context, an AFP or PDF document is stored in a device independent form as a print source file or print data. When a

specific printer is selected to present the document, an application program converts the device independent document print data (print job) into device specific instructions using a printer driver module (typically integrated with the operating system programs).

Mori does indeed teach a particular driver structure that first translates device options/instructions generated by an application into an intermediate format (an Enhanced Meta File - EMF). In other words, the print data in Mori as generated by an application is first translated from API function invocations into an EMF and then further converted from EMF format to a device specific set of instructions for a particular printer. However, the EMF is the print job (the print data) - it is not a job ticket. Mori does not address in any sense that a job ticket is converted from a device independent form to a device specific form - Mori does not relate to job tickets at all. Rather, Mori simply teaches that print data may be converted from a device independent form to a device specific form as does any printer driver. Mori therefore teaches nothing more than the admitted prior art in that device independent instructions (e.g., a print source file or print data) may be converted to device specific instructions to cause imprinting of the provided data.

Teachings of Hower

Mori has nothing to do with job tickets or printing environments that use job ticketing to define a job to be printed. Thus Mori is largely irrelevant in this discussion. Rather, a key distinction in the rejected claims over Mori or Hower (or the combination) is precisely what information is converted (device independent print options stored in a job ticket) and when the information is translated or converted to device specific information (options in the job ticket are converted to device specific information after a printer is selected).

The recited job ticket in the rejected claims includes device independent information as distinguished from the prior art as exemplified by Hower where a job ticket is formed based on the available features of a particular selected printer. Thus Hower's job ticket information is formed from the available features of a particular selected printer and is not device independent - i.e., is not independent of any particular printer.

In the Advisory Action, the Examiner points to Hower at column 3, line 50 through column 4, line 10 as showing the specification of numerous device options in a job ticket. Later in the specification it is clear that Hower's option settings are clearly device specific because a

printer is first selected to determine what options are to be presented to the user. Thus Hower teaches building a job ticket based on the capabilities of a previously selected printer. For example, starting at column 4, line 13 Hower describes his job ticket 35 as apparently generated or defined by a suitable UI 16 (on screen 17 displaying options such as shown on FIGS. 4 and 5) "so that the user can be apprised of which selections are *available* for programming a print job." At column 4, line 33 Hower clarifies that the profiles define options for a particular printer as follows: "Each of the printer profiles includes a list of printer properties, the properties, as explained in further detail below, being arranged advantageously to describe the combinations of print job selections *available* at a selected one of the printers 12." Options that are "*available*" are options available for a selected printer (i.e., as defined by a selected printer profile 44 of Hower). Combination examiner element 37 operates in conjunction with the UI 16 to present to a user only options that are *available* in a corresponding, previously selected profile 44 (see the paragraph beginning at column 4, line 49). The entire discussion in Hower at column 4, line 13 through column 7, line 41 suggests only that the job ticket 35 is constructed based on the options available in the profile 44 of a selected printer - a printer selected at some point in advance of the UI 16 operations to present the available options in the profile 44 and to define the job ticket 35 from that interactive process.

Mori does not alleviate this fundamental failure of Hower as regards the claimed invention. Hower does not show selecting device independent options prior to selection of a particular printer and storage of such options in a job ticket separate from the print source file (i.e., separate from the print data). Mori fails to teach anything of a job ticket.

Thus, while Hower may teach storing options for a print job in a job ticket and while Mori (and admitted prior art) may teach the broad concept that device instructions may be specified in a device independent format, nothing in Hower or Mori (or any art of record considered individually or in any combination) teaches or suggests that the job options are stored in a job ticket in device independent format prior to selecting any particular printer and converted to printer specific commands after selection of a particular printer. The converted options are sent to the printer along with the print source file (print data) to cause printing of the print data in accordance with the converted options.

Job Ticket Distinct from Print Job

Applicants also noted in the prior response that nothing in Mori teaches or remotely suggests that device independent options, separate and distinct from the print job defined by a print source file, are stored in a job ticket, separate and distinct from the print source file, and then converted into one or more printer specific commands. In the Advisory Action mailed 22 January 2008 the Examiner suggests that the above remark (noting the separate and distinct nature of the job ticket with respect to the print source data) is not found in the claims. With due respect, Applicants point out that all independent claims (1, 6, and 11) recite two distinct features - a print source file (i.e., a "print job" describing the page content to be printed) and a job ticket (storing device independent print options describing how a print source file is to be printed). A "job ticket" and a "print source file" are clearly distinct aspects of the rejected claims.

Summary

Independent claims 1, 6, and 11 have been amended for editorial clarity as regards these distinctions. For example, claims 1, 6, and 11 all make clearer that selected device independent options are stored in a job ticket. Following these steps, a printer is selected followed by a comparison of printer options stored in the ticket with the printer capabilities of the selected printer. Thus the options are defined before a particular printer is selected and thus must be independent of any particular printer. By contrast, Hower presents to a user through UI 16 only those options available for a particular printer as defined by the printer profile 44 of a selected printer 12. Thus Hower's options are not independent because they are selected based on the available options for a particular device. Mori teaches nothing to alleviate this fundamental deficiency of Hower.

For at least the reasons discussed above, Applicants maintain that independent claims 1, 6, and 11 are allowable over all art of record. Further, dependent claims 2-5, 7-10, and 12-20 recite additional limitations and thus are allowable for at least the same reasons and as dependent from allowable base claims. Applicants therefore respectfully request reconsideration and withdrawal of the rejection of all claims (1-20).

Conclusion

Applicants maintain that all claims (1-20) are inventively distinguishable from all prior art of record (considered individually or in any combination) for at least the above discussed reasons. Applicants have amended independent claims 1, 6, and 11 for editorial clarity as regards some distinctions over the art of record. Applicants therefore respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a).

Applicants hereby petition for a 2 month extension of time in filing of this response. Applicants have submitted herewith payment for the requested extension and for the Request for Continuing Examination filed herewith. Applicants believe no other fees are due in this matter. The Examiner is invited to contact the undersigned attorney if prosecution of this application may be advanced thereby.

Respectfully submitted,

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